



C.S.No.608 of 2017

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20..02..2025

CORAM:

THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

C.S No.608 of 2017

N.D.Ramamurthy

... Plaintiff

..Vs..

The Corporation of Chennai,
rep. by its Commissioner,
Rippon Buildings,
Park Town, Chennai-600 003.

.. Defendant

Prayer: Civil Suit has been filed under Order IV Rule 1 of O.S Rules read with Order VII Rule 1 CPC, praying to pass the following judgment and decree against the defendants:

a) To declare the title of the plaintiff over the property of an extent of 6000 Sq.ft, situate in Plot no.8, Old no.14, New no.28, Pulla Avenue, Shenoy Nagar, Chennai-600 030 and comprised in S.No.64/1B, T.S.No.2/6, Block no.15 of Aminjikarai Village, Egmore-Numgambakkam Taluk, Chennai District bounded on the north by Plot no.13, belonging to Manigandan, South by Ayyavu Street Road, East by property belonging to the plaintiff and west by Pulla Reddy Avenue Road, more clearly described in the schedule hereunder.



C.S.No.608 of 2017

WEB COPY

(b)To restrain the defendants, his men, servants, agents or any one acting under him, by way of a decree of permanent injunction, from interfering with the possession of the plaintiff over the property of an extent of 6000 sq.feet, situate in Plot no.8, Old no.14, New no.28, Pulla Avenue, Shenoy Nagar, Chennai-600 030 and comprised in S.No.64/1B, T.S.No.2/6, Block no.15 of Aminjikarai Village, Egmore-Numgambakkam Taluk, Chennai District bounded on the north by Plot no.13, belonging to Manigandan, South by Ayyavu Street Road, East by property belonging to the plaintiff and west by Pulla Reddy Avenue Road, more clearly described in the schedule hereunder.

(c).To direct the defendant to pay cost of the present suit.

For Plaintiff : Mr.V.Kuberan
(For M/s.Rank Associates)
For Defendants : Mr.R.Ramanlaal
(For M/s.P.T. Rama Devi)

J U D G M E N T

This Civil Suit has been filed by the plaintiff for declaration and permanent injunction in respect of the suit schedule mentioned property.

2. The case of the Plaintiff, as set out, in the plaint is as follows:-

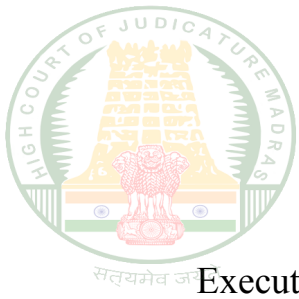


C.S.No.608 of 2017

WEB COPY

(i) The plaintiff is the owner of the suit schedule property, which was acquired by the Plaintiff's predecessors in title much earlier to the year 1951, as seen from the Deed of Partition dated 04.03.1951 and thereafter, the property had changed hands under the following documents, viz., Sale deed dated 15.06.1962, registered as document No.2018 of 1962, Sale deed dated 15.06.1962, registered as document No.2019 of 1962; and Sale deed dated 19.08.1962, registered as document No.3887 of 1962 and finally the plaintiff had become the owner of the same by virtue of an order passed in T.O.S. No. 20 of 2009 by this Court.

(ii) The plaintiff had leased out the area facing Pulla Avenue from time to time and as on date, the same is in possession of the tenant Mrs.P.Jansi, who has been running a Honda Service Centre from the year 2013 onwards. The entire property is being assessed to tax and the plaintiff has been paying the property taxes as well. The tenant has constructed and provided all the necessary infrastructure required for running the service centre. A ramp and service equipment has also been constructed in the portion of the land falling S.No.2/6 and facing Pulla Reddy Avenue, with a compound wall and gate. While so, on 18.07.2017, the Assistant Engineer,



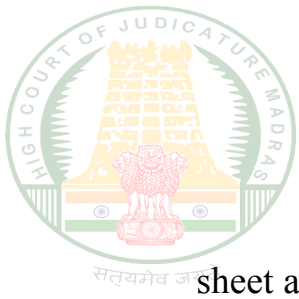
C.S.No.608 of 2017

WEB COPY

Executive Engineer and Zonal officer of Zone VIII, Ward 102, Corporation of Chennai, visited the property and claimed that a portion of the property abutting Pulla Avenue belongs to Corporation of Chennai and closed the gates of the Service Centre by sending out all the employees of the tenant.

(iii)The plaintiff claims that no notice of any kind was ever given to the plaintiff or to his tenant in this regard. No proof of any kind relating to the alleged ownership of Corporation of Chennai was also shown or provided to the plaintiff, despite specific requests and demands made by him. They did not even allow the tenant to remove all their belongings and threatened to take severe action if they are not allowed to lock the gates immediately. The plaintiff was not even allowed to get any legal help in order to ascertain his rights under law. While it is settled law that even an encroacher cannot be thrown out without giving proper notice and opportunity to show cause as to why action should not be taken against them, in the instant case where a lawful owner who has been in possession of the property with a compound wall and a gate for nearly 60 years, has been forcibly sent out in no time by taking law into their hands.

(iv)The officers attached to the office of the defendant also attempted to park Garbage trucks and later after closing the gate with a tin



C.S.No.608 of 2017

WEB COPY

sheet and putting up a board, they have also unloaded unused electric poles and materials hindering the entrance and a warning has also been given that they would resume demolition activities. The action is high handed and illegal. It is not open to Corporation officials to take law into their hands and indulge in unlawful eviction exercises without following the legal processes. Though the plaintiff met all the officers concerned and requested for providing time and also to give copies of the document under which Corporation is claiming the right, but they have not chosen to give any such basic documents. On the contrary, the plaintiff is in possession of all the documents including the property tax assessment records carried out by the same Corporation officials showing it as proof of ownership. The assessment order showing the property address at Pulla Reddy Avenue, Shenoy Nagar, issued by the Corporation of Chennai.

v) Earlier when such an attempt was made by the Corporation to prevent the plaintiff's predecessor in title to enter into the property, he had filed a suit in O.S.No.9481 of 1994, on the file of XVIII Assistant Judge, City Civil Court, Chennai and has obtained a decree of declaration relating to his right over the property in T.S.No.2/6, Pulla Reddy Avenue, Aminjikarai, Chennai-30 and a permanent injunction restraining the



C.S.No.608 of 2017

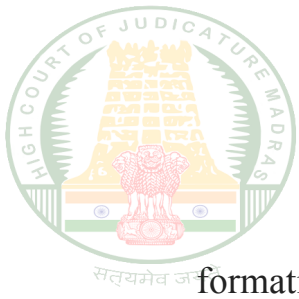
WEB COPY

defendant herein from in any manner, interfering with property including demolishing the super structure which existed therein. The said decree had attained finality. However, the present suit is filed by the plaintiff, praying for a substantive relief regarding the prescriptive title of the plaintiff on account of the attempt of interference made by the defendant's officers on 18.07.2017.

vi. The plaintiff has been in possession, occupation and enjoyment of the property as a lawful owner for nearly 66 years, and have perfected their title to the said land by prescription and the action of the Corporation of Chennai in closing down the gates without any right or without following any procedure as per law, is illegal. The plaintiff, who has been in possession of the property with a compound wall and gate will be greatly prejudiced, in the event of the defendant attempting any such act. Hence, the present suit.

3. The case of the Defendant, in a nutshell, as set out in his written statement, is as follows:-

(i) The lands bearing in Old S.No.64/1 part. 64/2, 64/3, 64/4 and 65/1 and 65/2 in vast extent of Aminjikai Village were acquired for for



C.S.No.608 of 2017

WEB COPY

formation of a road approaching the Poonamalle High Road from Shenoy Nagar and Parks as well. vide G.O.Ms.No.2297 (Health) dated 24.06.1950 which was published in the Gazette Under Section 14(5) of the Town Planning Act on 10.10.1950. The Property comprised in Old S.No.64/2 is left to be maintained as a Public Park. The Patta and other Revenue Records show that the property comprised in Old S.No.64/2, now T.S.No.2/6 is owned by the Defendant Corporation. But the owner of the adjacent Property comprised in Old S.No.64/1B presently T.S.No.2/4 had illegally encroached the suit property in T.S.No.2/6. Now and then the defendant Corporation had removed the encroachments.

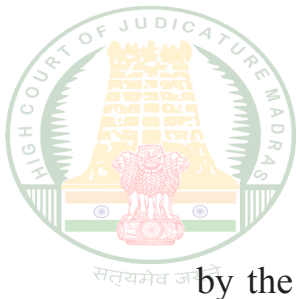
(ii).On perusal of the entire block Map of Shenoy Nagar Scheme and other relevant records, it was found that the said suit property measuring an extent of 6237sq. ft. comprised in T.S.No.2/6 belongs to Corporation and with the help of the Tahsildar, Land and Revenue Department, the locations of the land in disputes and the above Suit property, which is concrete topped with a ramp elevating to the first floor of the building situated in adjacent land comprised in T.S.No.2/4 belonging to the plaintiff were now identified and immediately noticing the above suit land in a position of being on an attempt for illegally grabbing by the



C.S.No.608 of 2017

WEB COPY

plaintiff, the defendant officials had with necessary instructions taken possession of the above suit property by storing the lamp posts in the said land and particularly erected the Display Board, displaying the message that the property belongs to the Corporation of Chennai and affixed a notice to remove the encroachment caused in the land belonging to the Corporation by Locking the gate fixed by the encroacher. All these actions of the Defendant Corporation had been simply watched by the plaintiff's persons, but after ten days the plaintiff and his agents had broken the lock and trespassed into the defendant's property and had even uprooted the Board erected by the Corporation / Defendant. In an enquiry conducted in the complaint lodged by this defendant Corporation against the plaintiff within the Jurisdictional Police Station, the plaintiff submitted a photo copy of Decree dated 24-12-1996 passed by the Hon'ble XVIII Asst. City Civil Court, Chennai in O.S.No.9481 of 1996. On perusal of the same, the defendant got to know that the plaintiff's predecessor in title had obtained an ex parte decree for Easement of Necessity by misleading and misrepresenting before the said Court. When the said suit number was verified with our legal cell, the notice of the same had not been duly served and the file pertaining to the above case, had not been put up or maintained

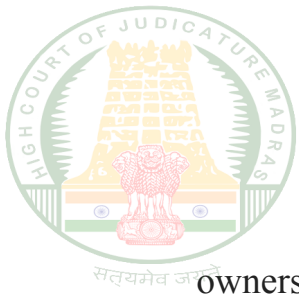


C.S.No.608 of 2017

WEB COPY

by the Office. The plaintiff managed to obtain an Exparte Decree against the Corporation. Now that, necessary steps had been taken to file a Petition to set aside the Exparte Decree. The above said Suit in O.S.No.9481 of 1996 was filed for Easementary Right for a pathway for which the meaning of pathway should be considered, it simply means that a passage that would definitely not cover the entire extent of 6237 sq. ft. of land comprised in T.S.No.2/6 and more over, the sketch enclosed with the plan in the above suit shows that there had been a claim of narrow path about 5 to 6 feet in the way. Further, the said suit in O.S.No.9481 of 1996 itself is not maintainable as the above suit property comprising in T.S. No.2/4 belonging to the plaintiff has an access to road and the statement that had no alternative path for the land is an utter falsehood, merely on a wrong statement, the predecessor of the plaintiff had obtained an ex- parte decree in the suit in O.S.No.9481 of 1996. In either way it is an ex-parte decree, which at any time by the discretion of the Hon'ble Court is liable to be set aside.

(iii). The suit property in entirety belongs to the Corporation/defendant and the plaintiff has no right of possession or



C.S.No.608 of 2017

WEB COPY

ownership. The attempts to illegally grab the land is being curtailed by the Corporation/defendant and the decree obtained through back door for right of easement will not entitle the plaintiff to claim prescriptive right. The property tax for assessment and other Title Deeds along with other supportive documents relied on by the plaintiff pertains to his own land comprised in T.S.No.2/4 and as far as the ramp erected in the suit property unauthorizedly and illegally without permission will be cleared in accordance with law.

iv).The plaintiff herein had filed a Writ Petition for a direction against the defendant Corporation to remove the Lock and open the Gates of the above suit property in W.P.No.19554 of 2017 and the same was withdrawn by the petitioner on 31.07.2017. This fact was suppressed by the plaintiff. All the actions done by the defendant Corporation is with due process of law and on the exercise of its legitimate powers conferred on it and as such the defendant had at no point of time, had acted high handed and illegal. With these averments, the defendant sought for dismissal of the suit with exemplary costs.



C.S.No.608 of 2017

WEB COPY

4. On the pleadings of the parties and hearing the learned counsel on either side, the following issues were framed for determination:-

- (1) Whether the Plaintiff has been in possession and enjoyment of the Suit Schedule Property from the year 1951 as a rightful owner?*
- (2) Whether the plaintiff is entitled to a decree of declaration of his title to the Plaint schedule property?*
- (3) Whether the Plaintiff is entitled to a decree of permanent injunction against the Defendant restraining them from interfering with his possession of the Plaint schedule property?*

5. On the side of the Plaintiff, the plaintiff was examined as PW1 and Ex.P1 to Ex.P16 were marked. On the side of the Defendant, DW1 was examined and Ex.D1 to D5 were marked.

6. Heard both sides and perused the materials available on record.

Issue No.1 :



C.S.No.608 of 2017

WEB COPY

7. The learned counsel for the Plaintiff has submitted that the suit schedule Property was acquired by the plaintiff's predecessors-in-title much earlier to the year 1951. After the suit property was made various sale deeds in the year 1962, finally the plaintiff have become the owner of the same by virtue of an order passed in T.O.S. No. 20 of 2009, by the Hon'ble High Court.

8. It has been further submitted that a ramp and service equipment have also been constructed in the portion of the land falling S.No.2/6 and facing Pulla Reddy Avenue, with a compound wall and gate. A sump for storing water, as well as a Bore well also exists in the said area for more than 30 years. While being so, the Official of Corporation of Chennai, came to the said schedule property and claimed that a portion of the property abutting Pulla Avenue belongs to them and closed the gates of the compound wall.

9. The learned counsel for the Plaintiff has further submitted that without any notice and any proof of ownership, the Corporation of Chennai have removed all belongings of the plaintiff and threatened to take severe action against the plaintiff. Subsequently, the officers also



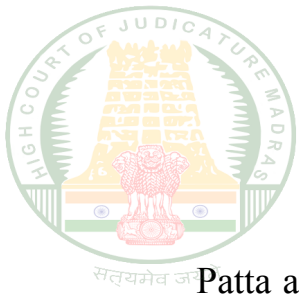
C.S.No.608 of 2017

WEB COPY

attempted to park Garbage trucks and closed the gate with a tin sheet and put up a board as the suit property is belonged to them. They have also unloaded unused electric poles and materials hindering the entrance. The officers also warned the plaintiff that they would resume demolition activities in the property. Hence, he prays the relief as sought in the suit.

10. The learned counsel for the defendant submitted that the lands in vast extent in Old S.Nos. 64/1 part, 64/2, 64/3, 64/4 and 65/1 and 65/2 of Aminjikarai Village was acquired by the Government vide G.O.Ms.No.2297 (Health) dated 24-06-1950 which was published in the Gazette on 10-10-1950 and vide Award No. 4/52 dated 13.08.1952 for the purpose of formation of a road approaching the Poonamallee High Road from Shenoy Nagar and Parks as well.

11. It has been further submitted that the Property comprised in Old S. No. 64/2 is proposed to be maintained as a Public Park. The Award describes the property acquired and on its boundary S. No. 64/1B is shown on the eastern side of the S. No. 64/2 i.e. equivalent to T.S. No. 2/6. The



C.S.No.608 of 2017

WEB COPY

Patta and other Revenue Records show that the property comprised in Old S. No. 64/2, now T.S. No. 2/6 measuring an extent of 6237 sq. ft. is owned by the Defendant Corporation vide Ex. D3. But the plaintiff/owner is of the adjacent Property comprised in Old S. No. 64/1B presently T.S. No. 2/4 admeasuring an extent of 4207 sq.ft. only.

12. It has been further submitted that based on the order in TOS No.20 of 2009, vide Ex.P9, the plaintiff claims title over the property in T.S. No. 2/6, Aminjikai Village which distinctly shows that only S. No. 64/1B, T.S. No. 2/4, Aminjikai Village, Chennai. admeasuring an extent of 4207 sq.ft. stands allotted to the Plaintiff herein and it has no whisper about T.S. No. 2/6. However, the plaintiff herein has sought for suit for Declaration of Title and Permanent Injunction over the property of an extent of 6000 sq.ft. comprised in S.No.64/1B, T.S. No. 2/6, Block No. 15, Aminjikai Village Chennai. In this regard, the plaintiff has also filed 16 documents from Ex-P1 to Ex-P16 but not one single document to prove his case and establish the title over the property situated in T.S. No. 2/6, Block No. 15, Aminjikai Village admeasuring an extent of 6000 sq.ft.

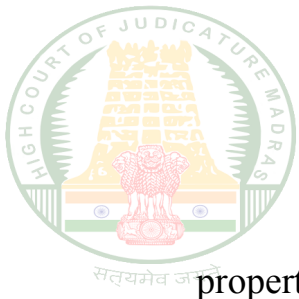


C.S.No.608 of 2017

WEB COPY

13. The learned counsel for the defendant further submitted that the Suit in O.S. No. 9481 of 1996 was filed for Easement Right for a pathway that would definitely not cover the entire extent of 6237 sq.ft. of land comprised in T.S. No. 2/6. Further, the said Suit in O.S. No. 9481 of 1996 itself is not maintainable as the above Suit property comprising in T.S. No. 2/4 belonging to the Plaintiff has an access to the road and the statement that the plaintiff had no alternative path for the land T.S. No. 2/4 is an utter falsehood while there are two roads on the Southern and Western side of the property in T.S. No. 2/4, Therefore having pathway on two sides, the plaintiff has played fraud and obtained a decree for easement of necessity which is not valid and binding on anyone. As it is an Ex-parte Decree, it is liable to be set aside. Moreover, the Decree in favour of the Plaintiff's Predecessor is for Easement of Necessity, which at any point of time gives only an exclusive Right of passage to the Plaintiffs land in T.S. No. 2/4 and does not declare any title over the land in T.S. No. 2/6.

14. It has been further submitted that the Planning Permission dated 05.02.1983 obtained by the Plaintiff's predecessor for the proposed construction of Kalyana Mandapam clearly depicts the property is comprised in T.S. No. 2/4 vide Ex. D4 and it has clear access to the

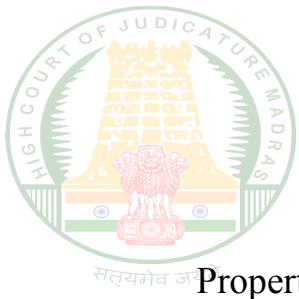


C.S.No.608 of 2017

WEB COPY

property in T.S. No. 2/4, Aminjikarai Village via Ayyavoo Naidu Street and Pulla Reddi Avenue Road. Therefore the Ex-parte Decree obtained in O.S. No. 9481 of 1996 for the Easement of Necessity has been passed without considering the real facts and circumstances.

15. The learned counsel for the defendant further submitted that the Plaintiff claims title over the property in T.S. No. 2/6, Aminjikarai Village through the Property Tax Assessments marked as Ex. P12 which pertains to his own land comprised in T.S. No. 2/4 measuring only an extent of 4664 sq.ft. and does not have any relation regarding the property in T.S. No. 2/6. As far as the ramp erected in the Suit Property comprised in T.S. No. 2/6 is unauthorized and illegal without any permission it will be cleared in accordance with law. Further, the Encumbrance Certificate filed by the Plaintiff vide Ex. P7 clearly shows only regarding the property in T.S. No. 2/4 and does not have any nexus regarding the property in T.S. No. 2/6 as claimed by the plaintiff. Further, the Statement such as CMRL had sought for the permission from Plaintiff are all related only to his Property comprised in T.S.No.2/4 and further, in an attempt to illegally grab the above Suit property, the Plaintiff had focused him as the owner of the



C.S.No.608 of 2017

WEB COPY

Property in T.S. No. 2/6, Aminjikai Village unlawfully for his enrichment.

16. It has been further submitted that the Lease Deed filed by the Plaintiff vide Ex. P11 and the Police Complaint vide Ex. P14 are related only to the property situated in T.S. No. 2/4, Aminjikai Village admeasuring an extent of 4207 sq.ft. and not the T.S. No. 2/6 as per the prayer sought for. The plaintiff has clearly stated that he is the owner of the property situated in T.S. No. 2/4 vide the Compromise Deed in T.O.S. No. 20 of 2009 dated 05.04.2010 and has not stated or claimed any title over the property in T.S. No. 2/6. It is pertinent to note that the Plaintiff has not filed any document to prove the title over the property in T.S. No. 2/6, Aminjikai Village admeasuring an extent of 6000 sq.ft. as per the prayer sought for. All the documents filed by the plaintiff in the above suit are related only to the property situated in T.S. No. 2/4, Aminjikai Village admeasuring an extent of 4207 sq.ft. and not the T.S. No. 2/6. Hence, the suit is liable to be dismissed.

17. On perusal of the records, it is seen that the Chennai



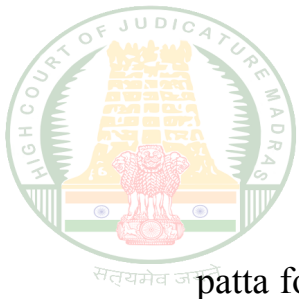
C.S.No.608 of 2017

WEB COPY

Corporation had acquired the vast land in Old S. Nos. 64/1 part, 64/2, 64/3, 64/4 and 65/1 and 65/2 of Aminjikarai Village for formation of a road approaching the Poonamallee High Road from Shenoy Nagar and Parks as well vide G.O.Ms.No.2297 (Health) dated 24-06-1950 which was published in the Gazette on 10-10-1950 and vide Award No. 4/52 dated 13.08.1952.

18. Further, it is not dispute on seeing the TSLR and other Revenue Records that the property comprised in Old S.No.64/2, now T.S.No.2/6 to the extent of 6237 Sq.ft is owned by the Defendant Corporation and also that the plaintiff is the owner of the adjacent Property comprised in Old S.No.64/1B presently T.S.No.2/4 to the extend of 4207 Sq.ft only which was purchased by him by virtue of the sale deed registered as Doc.No.3887/1962 dated 19.08.1962.

19. The plaintiff claims over the suit property relying upon the Judgment in O.S. No.9481 of 1994 which is an ex-parte decree and not decided on merit after hearing both sides and the Property Tax Assessment order merely mentioning the Sq.Ft for 4664 sq.ft only without producing



C.S.No.608 of 2017

WEB COPY

patta for the aforesaid extent. In so far as the suit in O.S. No.9481 of 1994 filed by the plaintiff is concerned, it is seen that the suit had been filed seeking for easement right for the passage relating to the Old S.No.64/2 presently, T.S.No.2/6 out of 6237 Sq.ft belongs to Chennai Corporation. In this regard, Ex-parte decree has been passed on 24.12.1996. Based on the said Ex-parte Judgment, the plaintiff has not taken any steps to convey the same to the Defendant Chennai Corporation seeking for separate Patta or Survey No in his name from the defendant.

20. At the same time, even though the plaintiff claiming the title of the suit property comprising in Old S.No.64/2 , presently T.S. No.2/6 to the extent of 6000 Sq.ft, the plaintiff has not produced any title deed and statutory documents to prove his right and title over the aforesaid property for the extent of 6000 Sq.ft. Despite the plaintiff has produced the Property Tax Assessment order issued by the defendant for the extent of 4664 Sq.ft, there is no any receipt filed by the plaintiff whether he has paid the property tax for the aforesaid extent from the date of decree in O.S. No.9481 of 1994 and till the date of filing of the present suit and he has not produced Patta for the aforesaid extent. While being so, as per the records,



C.S.No.608 of 2017

WEB COPY

vide Ex.P1 to Ex.P4, and Ex.P9, the plaintiff is the owner of the suit property comprising the Old S.No.64/1B presently T.S. No.2/4 measuring the extent of 4207 Sq.ft only. Under such circumstances, the plaintiff cannot claim the measurement of 4664 Sq.ft showing the Property Tax Assessment which is comprised in the Old S.No.64/2, presently T.S. No.2/6 belongs to the defendant Corporation measuring to the extent of 6237 Sq.ft. vide G.O.Ms.No.2297 (Health) dated 24.06.1950 which was published in the Gazette Under Section 14(5) of the Town Planning Act on 10.10.1950. Hence, it is seen that the plaintiff has been only in possession and enjoyment of the suit schedule property in Old S.No.64/1B presently T.S. No.2/4 from the date of purchase of it to the extent of 4207 Sq.ft only and the plaintiff has not produced any revenue records and oral and documentary evidence to prove his possession and enjoyment in Old S.No.64/2 presently, T.S. No.2/6 for either in extent of 4664 Sq.ft or 6000 sq.ft. Accordingly, issue No.1 is answered.

Issue No.2 and 3

21.On perusal of the Ex.P1 to Ex.P4, and Ex.P9, as the plaintiff is the absolute owner of the suit property in Old S.No.64/1B presently T.S.



C.S.No.608 of 2017

WEB COPY

No.2/4 to the extent of 4207 Sq.Ft only, he is not entitled for the extent of 4664 Sq.ft as per Ex.P12 or 6000 Sq.ft as stated in the plaint without any proper revenue records and oral and documentary evidence to claim the same which is part of the portion in Old S.No.64/2 presently T.S.No.2/6 belongs to the Defendant Corporation. On perusal of G.O.Ms.No.2297 (Health) dated 24.06.1950 which was published in the Gazette Under Section 14(5) of the Town Planning Act on 10.10.1950, the suit property in Old S.No.64/2 presently T.S.No.2/6 is declared as Public Park to the extent of 6237 Sq.ft. which belongs to the Defendant Chennai Corporation. Hence, the plaintiff is not entitled to a decree of declaration of his title to the plaint schedule property belongs to the Chennai Corporation. While the suit property belongs to the Defendant corporation, the plaintiff cannot seek permanent injunction against the defendant. Accordingly, issue Nos.2 and 3 are answered.

22.In the result, the suit is dismissed. No costs.

20.02.2025

Index:Yes/No

Web:Yes/No

Speaking/Non Speaking



1. List of Witnesses examined on the side of the Plaintiff:-

PW1 -Mr. N.D. Ramamurthy

2. List of Exhibits marked on the side of the Plaintiff:-

Ex.P1 is the certified copy of the Partition Deed dated-04.03.1951.

Ex.P2 is the certified copy of the Sale Deed registered as
Doc.No.2018/1962 dated-15.06.1962.

Ex.P3 is the certified copy of the Sale Deed registered as
Doc.No.2019/1962 dated 15.06.1962.

Ex.P4 is the photocopy of the sale deed registered as Doc.No.3887/1962
dated 19.08.1962.

Ex.P5 is the photocopy of the GOMs No.463 dated 14.06.1982 passed
by the Government of Tamil Nadu dated 14.06.1982.

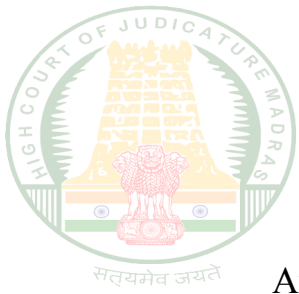
Ex.P6 is the photocopy of the Judgment and Decree in O.S.No.
9481/1994, XVII Asst Judge, City Civil Court, Chennai dated
24.12.1996.

Ex.P7 is the original Encumbrance Certificate showing entries from
1983.

Ex.P8 is the photocopy of the petition in RCOP No.333/2009 filed in
February 2009.

Ex.P9 is the photocopy of the Order passed in TOS No.20/2009 filed in
05.04.2010.

Ex.P10 is the photocopy of the letter received from Chennai Metro Rail



C.S.No.608 of 2017

Authority (CMRL) dated 09.02.2012.

WEB COPY

Ex.P11 is the original Registered Lease Deed executed by plaintiff dated 08.11.2013.

Ex.P12 is the photocopy of the property tax assessment order dated 15.09.2016 issued by the defendant.

Ex.P13 is the photocopy of the New Item in Dinathanthi daily.

Ex.P14 is the photocopy of the Police complaint dated 22.07.2017.

Ex.P15 is the photocopy of the receipt given by the police dated 27.07.2017.

Ex.P16 is the copy of the photographs.

3. List of Witnesses examined on the side of the Defendants:-

DW-1- Mr. M. Pugazhendhi

4. List of Exhibits marked on the side of the Defendants:-

Ex.D1 is the true copy of the acquisition proceedings of the suit property dated 13.08.1951.

Ex.D2 is the true copy of the Award No.4/52 dated 13.08.1952.

Ex.D3 is the computer generated TSLR extract pertaining to the suit property in T. S. No.2/6.(The plaintiff counsel has objected stated that 65 B affidavit is not filed)

Ex.D4 is the true copy of the Block Map of Shenoy Nagar scheme.

Ex.D5 is the original planning permission for the property comprised in T.S. No.2/4.

20..02..2025



C.S.No.608 of 2017

WEB COPY lbm

A.A.NAKKIRAN, J.

lbm



WEB COPY



C.S.No.608 of 2017

Pre-Delivery Judgement in
C.S.No.608 of 2017

20.02.2025